

Multnomah County New and Improved Civil Case Management Process

Multnomah County Circuit Court new civil case management rules became effective February 1, 2012, for cases filed after that date. Cases filed before February 1, 2012, are not subject to the new case management process. You can view the new supplemental local rules at <http://courts.oregon.gov/Multnomah>.

Why New Case Management Procedures?

The new rules and procedures were proposed by the court's Civil Case Management Committee to (1) improve access to justice using civil jury trials; (2) streamline court operations and reduce the amount of time court staff spend processing civil cases; and (3) generate more predictable trial dates based on available judicial resources and party and witness availability, which is expected to reduce parties' litigation expenses associated with last-minute trial setovers.

What Are the Changes?

The three main components of the new civil case management procedures are (1) civil cover sheets, (2) initial case management conferences, and (3) trial readiness conferences.

1. Civil Cover Sheets – SLR 2.011

Upon filing a complaint, parties are required to complete and file a one-page civil cover sheet to provide summary information about the case. The use of civil cover sheets will substantially reduce court staff time in processing new case filings and allow the court to better track cases

through the system. The new civil cover sheet is available at the courthouse and online at <http://courts.oregon.gov/Multnomah>.

2. Initial Case Management Conferences – SLR 7.011

When a case reaches 120 days from initial filing or two weeks after the first motion is filed (whichever occurs first), the court will send a notice to all parties setting an initial case management conference. Initial case management conferences will generally occur within 20 days from the date the notice is sent to the parties. The purposes of the initial conference are to (1) determine the appropriate track for the case (regular track, complex, expedited civil jury trial, or arbitration); (2) assign a motion judge who will hear all pre-trial motions on the case except summary judgment; and (3) set a trial readiness conference. Certain types of civil cases will be exempt from initial case management conferences (e.g., FED, small claims, family law, juvenile, protective proceedings, and probate).

Initial case management conferences take place on Friday mornings and are expected to last approximately 10 minutes. Parties may appear by telephone. At the conclusion of the initial case management conference, the court will issue an order assigning a judge to hear pending and future motions and setting a date for a trial readiness conference. All motions to be heard in the case will be scheduled directly with the assigned judge's staff, except for summary judgment motions. The court's assignment of motions for sum-

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mary judgment to pro-tem judges and local rules governing motions for change of judge remain the same. If the parties seek complex case designation, the parties will receive, at the initial case management conference, a time and date for a conference with the presiding court to address whether the case will be designated complex.

3. Trial Readiness Conferences – SLR 7.015

The last and most important step in the new civil case management procedures is a trial readiness conference that must occur approximately 240 days (eight months) from the date the case was filed. As discussed above, the time and date for the trial readiness conference will be set at the initial case management conference. At the trial readiness conference, the parties will be assigned a firm trial date. In accordance with current practice, the trial date will generally be set within 12 months of the date the case was filed. The trial date set at the trial readiness conference will not be set over absent a finding of good cause by the presiding court.

Prior to the trial readiness conference, the parties must confer with each other and their clients and witnesses regarding their availability for trial and reach agreement with the other side on three potential trial dates. The trial date selected will be based on the availability of judicial resources, giving preference to one of three dates the parties have agreed upon and proposed to the court. It is essential that the parties and their lawyers come to the conference with full knowledge of their availability and their witnesses' availability. Again (as repetition is a form of emphasis), the trial date set at the trial readiness conference will be a firm trial date and will not be set over unless the presiding court finds good cause to grant a setover.

If the trial is expected to last five days or longer, the parties should continue to follow the current practice set forth in Recommended Practices for Civil Jury Trials in Multnomah County (<http://courts.oregon.gov/Multnomah/docs/CivilCourt/CivilJuryTrialsRecommendedPracticesForCivilJuryTrials.pdf>). Thirty days prior to trial, the parties should send a letter to the presiding court requesting preassignment of a trial judge. If the case is expected to last two weeks or longer, the request for preassignment should occur at least 45 days before the call date for trial so that additional jurors can be summoned.

MULTNOMAH COUNTY CIRCUIT COURT
CIVIL CASE MANAGEMENT COMMITTEE